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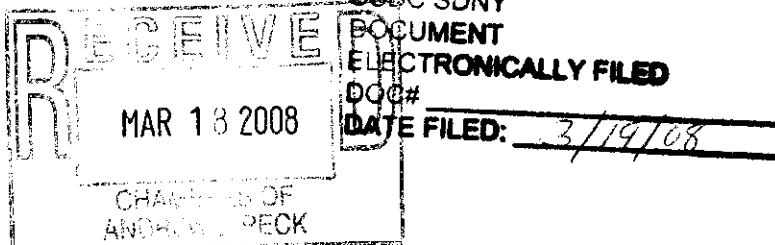
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March 17, 2008

MEMO ENDORSED

At this point, we're at the "designed" 3/19/08
stage for the filing of the complaint.
"View" of the filing for my purposes. This by
wasn't your presentation - Harvard. Should it
be the presentation? My question is your
own best of course. We work as partners and
at other firms. I am.

SO ORDERED:

United States Magistrate Judge
Andrew Jay Peck
By *[Signature]*

BY FAX

Dear Judge Peck

We write on behalf of defendant Westport Insurance Company with respect to the above-captioned matter. We are in receipt of plaintiff's counsel's letter to the Court of March 14, 2008 which reveals counsel's acquaintance with Your Honor since the mid-1970's when you were both associates at the Paul Weiss firm, as well as your continued dealings with counsel both professionally and personally.

In light of the above, on behalf of our client, we would respectfully request that Your Honor recuse yourself from this action. We would welcome any conference which the Court may deem appropriate to discuss this matter, and thank the Court for its attention to this matter.

Very truly yours,

[Signature]
William G. Scher (WS 2891)

WGS:ak

cc: William B. Pollard, III, Esq. Via E-mail

Hon. Denise L. Cote	Via Hand Delivery
Joyce Noyce, Esq.	Via E-mail

FAX TRANSMITTAL SHEET



**ANDREW J. PECK
UNITED STATES MAGISTRATE JUDGE
UNITED STATES DISTRICT COURT**

Southern District of New York
United States Courthouse
500 Pearl Street, Room 1370
New York, N.Y. 10007-1312

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Dated: March 19, 2008

Total Number of Pages: 2

TO	FAX NUMBER
William G. Scher, Esq.	212-725-9630
William B. Pollard, III, Esq.	212-826-3640

TRANSCRIPTION:

MEMO ENDORSED 3/19/08

At this point, while I am the "designated" Magistrate Judge, the case has not been "referred" by the District Judge for any purpose. Thus, the recusal request is premature and moot. Should the case be referred to me, you may renew your request – but it should be made as a motion with citation to case law.

Copy to: Judge Denise L. Cote